

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

REBECCA SUMMERS : CASE NO. C-1-02-368
Plaintiff :
vs. : JUDGE SUSAN J. DLOTT
KEEBLER COMPANY, et al. :
Defendants : NOTICE OF ADDITIONAL
AUTHORITY

Now comes Plaintiff, by and through counsel, and hereby submits additional authority in support of her claim against the union. The additional authority is the case of *Edgar D. LaPerriere, Jr. v. International Union, United Automobile, Aerospace and Agricultural Implement Workers of America*, Case No. 01-1576. In that case the Sixth Circuit Court of Appeals permitted a direct cause of action against the union for breach of the duty of fair representation.

RESPECTFULLY SUBMITTED,

/s/ Mark J. Byrne
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CERTIFICATE OF SERVICE

I hereby certify that on December 18, 2003, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following: Patricia Anderson Pryor, Taft, Stettinius & Hollister, Attorney for Defendant Keebler Company, 425 Walnut Street, Suite 1800, Cincinnati, Ohio, 45202-3957, at pryor@taftlaw.com; Roger A. Weber, Taft, Stettinius & Hollister, Attorney for Defendant Keebler Company, 425 Walnut Street, Suite 1800, Cincinnati, Ohio, 45202-3957, at weber@taftlaw.com; and James B. Robinson, Kircher, Robinson & Welch, Attorney for Defendant Bakery, Confectionery & Tobacco Workers' and Grain Millers Local 253, 1014 Vine Street, Suite 2520, Cincinnati, Ohio, 45202, at kircher@fuse.net.

/s/ Mark J. Byrne

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